

MEMO ENDORSED

July 7, 2024

BY EFC

Hon. Judge Valerie E. Caproni
United States District Court Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 07/08/2024

Re: United States v. Washington 21-CR-603 (VEC)

Dear Judge Caproni,

I am writing to respectfully request the continuation of the appointment of my Criminal Justice Act (CJA) standby counsel, Rebecca Cecchini, David Esseks, and Eugene Ingoglia, to assist me during the appeals phase of my case.

I. Introduction

I, William Washington, the defendant-appellant in the above-captioned case, respectfully request that the Court continue the appointment of my CJA standby counsel, Rebecca Cecchini, David Esseks, and Eugene Ingoglia, to assist me during the appeals phase of my case.

II. Background

On May 2, 2024, the Court appointed David Esseks and Eugene Ingoglia as standby counsel, following my failure to state whether I requested standby counsel by the May 1, 2024 deadline. Both attorneys have been listed as CJA duty attorneys and have assisted me during the trial phase. Additionally, Rebecca Cecchini has provided significant support and assistance throughout this process.

III. Legal Standard

Under the Criminal Justice Act (CJA), 18 U.S.C. § 3006A, the Court may appoint counsel to provide representation for financially eligible defendants in criminal proceedings, including appeals. The appointment of standby counsel is within the Court's discretion to ensure the effective assistance of counsel and the proper administration of justice.

IV. Argument

1. Consistency in Representation: Rebecca Cecchini, David Esseks, and Eugene Ingoglia have been involved in my case during the trial phase and are thoroughly familiar with the facts and legal issues. Continuing their appointment will ensure consistency in representation and efficient handling of my appeal.
2. Complexity of the Appeals Process: The appeals process involves complex legal and procedural issues. The assistance of standby counsel is crucial to effectively navigate these complexities and present a cogent argument on appeal.
3. Previous Appointment: Rebecca Cecchini, David Esseks, and Eugene Ingoglia were appointed as CJA standby counsel during the trial phase and have provided invaluable assistance. Continuation of their appointment during the appeals phase is in the interest of justice and will help ensure a fair appellate process.

V. Request for Relief

For the foregoing reasons, I respectfully request that the Court continue the appointment of Rebecca Cecchini, David Esseks, and Eugene Ingoglia as my CJA standby counsel during the appeals phase of my case.

Application DENIED. Although the Court is glad that Dr. Washington has had a productive relationship with standby counsel, any request for the appointment of standby counsel for the purposes of appeal is premature. This case is not on appeal because Dr. Washington has not filed a valid appeal. Standby counsel will, however, remain appointed through sentencing and the filing of any notice of appeal.

To the extent Dr. Washington renews his request after he is sentenced and any notice of appeal is filed, his request must include the legal authority pursuant to which the District Court has jurisdiction to appoint standby counsel for proceedings before the Court of Appeals.

SO ORDERED.



07/08/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Respectfully Submitted,

/s/ William J. Washington
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